

# TITLE 21

## CEMETERY CITY CODE

### Chapter One GENERAL REGULATIONS

#### **21-1-1. Administration And Enforcement.**

The City cemetery shall be under the immediate supervision of the City Parks Superintendent, under the direction of the Director of Parks & Recreation. It shall be the duty of the Parks Superintendent to enforce the provisions of this Title in respect to the City cemetery, and to perform such other work as may be required by the Director of Parks & Recreation.

#### **21-1-2. Employee Conflict Of Interest Restrictions.**

No employee of the City assigned to work at the City cemetery shall be interested in any manner in any monumental, vault, casket manufacturing or kindred business, and shall not in any manner solicit business or trade for himself/herself or any other person, or receive directly or indirectly, any profits or rewards growing out of the sale or placing of any monuments, caskets, vaults or markers.

#### **21-1-3. Speed Limit In Cemetery.**

It is unlawful for any person to ride or drive any vehicle within the limits of the City cemetery at a speed greater than fifteen (15) miles per hour. Vehicles must stay on approved roadways.

#### **21-1-4. Unauthorized Vehicles.**

It is unlawful for any person to ride, drive or propel any vehicle, cycle, automobile or truck on property within the limits of the City cemetery on other than designated roadways without the prior written permission of the City Parks Superintendent. This section, however, shall not apply to restrict the use or operation of City maintenance vehicles within the cemetery.

#### **21-1-5. Planting Restrictions.**

A person may not plant any kind of shrubbery, flowers or trees in the City cemetery except as approved by the Parks Superintendent.

### **21-1-6. Artificial Flower Displays.**

Artificial flowers, wreaths, sprays, potted plants and decorations will be removed each Thursday, except they will be removed the second Thursday following a holiday.

### **21-1-7. Dogs Prohibited.**

It is unlawful for any person to take a dog into the City cemetery, or to allow or permit any dog in such person's care or custody to remain within the limits of the City cemetery, with the exception of guide and companion dogs assisting the disabled.

### **21-1-8. Injuring Or Removing Cemetery Property Prohibited.**

It is unlawful for any person to injure, deface, break, destroy or remove any headstone, tombstone, monument, grave decoration, tree, shrub, or any other property in the City cemetery.

## **Chapter 2- Lots And Gravesites**

### **21-2-1. Sale Authorized Procedure.**

The City Parks & Recreation Director shall, upon application of a purchaser, sell burial rights to gravesites in the City cemetery which shall be described by section, lot or portion of lot. It is unlawful for any person to bury the body of a deceased person in the City cemetery without first paying in advance for rights to that portion of the lot to be occupied, or, if he does not own or purchase burial rights to the lot, without furnishing a written permit from the owner of burial rights to the lot, or nearest relative of the owner thereof, which permit shall be filed with the City cemetery office.

### **21-2-2. Price For Gravesites.**

The price for each gravesite sold within the City cemetery shall be as set forth in the City's annual fee schedule.

### **21-2-3. What Price Includes.**

The payment specified in Section 21-2-2 of this Chapter, or its successor, shall not include payment for any of the services provided in any other section in this Chapter, but shall include payment for gravesite care, which shall consist solely of filling the grave, placing topsoil thereon, filling and seeding the gravesite with suitable grass seed, and watering and cutting such grass.

### **21-2-4. Duplicate Certificates Of Burial Rights.**

The City Parks & Recreation Department shall keep a duplicate of all certificates of burial rights issued by the City as part of the records of the City cemetery.

#### **21-2-5. Transfer Of Certificate Recording Fee.**

The fee for recording a transfer of the certificate of burial rights from the original purchaser to another party shall be as set forth in the City's annual fee schedule. No such transfer shall be binding upon the City until such transfer fee has been paid and the transfer recorded by City cemetery personnel.

#### **21-2-6. Unused Lots - City Rights.**

If, for a period in excess of sixty (60) years and one day from purchase of burial rights to any cemetery lot, the grantee, or persons claiming through the grantee have not used portions of the lots or parcels for purposes of burial and have not provided for the care of the lots or parcels beyond that uniformly provided for all lots of the cemetery, and during the sixty (60) year period have not given the City written notice of any claim or interest in the lots or parcels, the City may, following the procedures set forth in section 8-5-1, Utah Code Annotated, 1953, as amended, or its successor, demand of the grantee or persons claiming through the grantee that they file with the Parks Superintendent a written notice of claim or interest in such burial rights accompanied by evidence of their claim within fifty (50) days after service of a copy of notice of demand.

#### **21-2-7. Unused Lots Purchase By City Personnel Authorized When.**

The Parks & Recreation Director, when directed so to do by the Mayor, may purchase for the City, with funds provided for that purpose by the City Council, burial rights to any unused lots or portions of lots located in the City cemetery at a price of one-half (1/2) the current rate. It is unlawful, however, for City personnel to trade, deal in or make a profit, directly or indirectly out of any transaction involving the sale, purchase or transfer of any cemetery lot.

#### **21-2-8. Recording Of Plats And Conveyances.**

The City Parks Superintendent shall file with the Salt Lake County Recorder all records required by State statute relating to cemetery plats and ownership thereof.

#### **21-2-9. Lot Care Required.**

All lots in the City cemetery shall be maintained by the City.

#### **21-2-10. Lot Changes and Services Restricted.**

No improvement, change or service, other than gravesite care as defined in this chapter, shall be made upon any gravesite by the owner or owners of burial rights without the prior written approval of the City Parks Superintendent for such changes or services, nor without payment to the City of the reasonable cost of all such improvements, changes or services requested and approved.

#### **21-2-11. Headstones, Tombstones And Fences Grade Limitations.**

The owners of burial rights to gravesites or relatives of deceased persons buried in the

City cemetery are required to erect, in a manner satisfactory to the City Parks Superintendent headstones, tombstones or other suitable monuments at the heads of graves with the name of the deceased person plainly inscribed thereon. Such headstones, tombstones or other suitable monuments shall be flush with the surface of the ground. Further, all headstones, tombstones or other suitable monuments must be in an orderly row and reasonably in line with all other such markers in that plot. No person shall erect or maintain any fence, wall, corner post, coping, hedge or boundary of any kind upon any lot, gravesites or lots in the cemetery, nor grade the ground or land thereof. The City Parks Superintendent shall, whenever requested, furnish the true lines of such lots according to the official survey, and shall prevent and prohibit any marking of the same, save and except by official landmarks, and shall prevent and prohibit any grading thereof that might destroy or interfere with the general slope of the land.

## **Chapter 3 - Interment And Disinterment**

### **21-3-1. Burials Must Be In Cemeteries Exception.**

It is unlawful for any person to bury the body of a deceased person within the limits of the City, except in the burying grounds located therein, unless by permission of the Mayor.

### **21-3-2. Burials City Sexton/Maintenance Supervisor Authority.**

All interments in the City cemetery shall be under the direction of the City Parks Superintendent, who shall dig or cause to be dug all graves required for the burial of the dead.

### **21-3-3. Burials Certificate Or Permit Required.**

Before any interment, the City Parks Superintendent shall require of any person requesting interment a certificate of burial rights. Such certificate may be obtained by purchasing the same, if the applicant has not yet purchased the gravesite, or by presentation of a written permit from the owner of burial rights or nearest relative of the owner thereof. All such certificates and permits shall be filed with the City Parks Superintendent, and it is unlawful for any person to inter any person in the City cemetery without complying with the provisions of this Section.

### **21-3-4. Permit Requirements.**

The City Parks Superintendent shall not inter or permit the interment of any body unless it is accompanied by a burial, removal or transit permit issued in accordance with State statutes and this Code. The City Parks Superintendent shall endorse upon the permit the date of interment over his/her signature, and shall forthwith return it to the local registrar in accordance with State statutes and this Code.

### **21-3-5. Fees For City Parks Superintendent Services.**

Sandy City Cemetery Personnel shall collect fees for opening and closing graves, for

burial and disinterment, as set forth in the City's annual fee schedule. Approval from the County Health Department, is necessary before a disinterment can take place.

#### **21-3-6 Recordkeeping Requirements.**

The City cemetery officials shall keep a record of all interments made, including cremations, in the City cemetery, which shall state the name of the deceased person, place of death, date of burial, and name and address of the funeral director. These records shall be open to public inspection at all times.

#### **21-3-7. Burial Aboveground Prohibited.**

It is unlawful for any person to bury the body of a deceased person in any structure above the ground in the City cemetery.

#### **21-3-8. Use Of Wood Receptacles Prohibited.**

It is unlawful for any person to bury the body of a deceased person in a wood receptacle at the Sandy City cemetery, except that a body of a deceased infant may be buried in a wood receptacle, provided that such infant is buried in the cemetery's infant section.

#### **21-3-9. Disinterment And Removal.**

It is unlawful for any person to disinter any body buried in the City cemetery except under the direction of the City Parks Superintendent. Before disinterment the requester shall require a permit issued by the Board Of Health and a written order from the owner of the lot authorizing such removal, which order shall be filed and preserved by the City Parks Superintendent. All such removals shall be recorded by the City Parks Superintendent in a book kept for that purpose.

#### **21-3-10. Death From Contagious Diseases Disinterment Conditions.**

It is unlawful for any person to remove the body of a person who has died of a contagious disease within two (2) years from the date of burial, unless such a body has been buried in a hermetically sealed coffin, and is found to be so encased.